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10/652,139	08/29/2003	William J. Troyer	1880A1	1169
7590	07/19/2011		EXAMINER	
PPG INDUSTRIES, INC. Intellectual Property Department One PPG Place Pittsburgh, PA 15272			MANSFIELD, THOMAS L	
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte WILLIAM J. TROYER and DAVID RAY BROCIUS

Appeal 2010-004909
Application 10/652,139
Technology Center 3600

Before MURRIEL E. CRAWFORD, ANTON W. FETTING, and
JOSEPH A. FISCHETTI, *Administrative Patent Judges*.

CRAWFORD, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

Appellants seek our review under 35 U.S.C. § 134 of the Examiner's final decision rejecting claims 1, 3 to 13, and 15 to 25. We have jurisdiction over the appeal under 35 U.S.C. § 6(b).

We REVERSE.

Claim 1 is illustrative:

1. A method of reporting on the quality of repair work performed on an article comprising the steps of:
 - (a) identifying occurrences of quality problems in repair of an article at a repair facility;
 - (b) creating repair checkpoints in a repair facility;
 - (c) generating estimate data on the estimated cost for repairing the article, the estimate data being transferred to the database, said estimate data includes a repair estimate factor;
 - (d) generating quality data on the occurrences of quality problems of step (a) at each repair checkpoint in a repair facility for an article;
 - (e) electronically transferring the quality data to a computer database;
 - (f) sorting the quality data in the database utilizing said repair estimate factor for producing a report of said quality data which relates to industry indicators; and
 - (g) producing a report of the sorted quality data.

Appellants appeal the following rejections:

1. Claims 1, 3, 4, 7-13, 15, 16, and 18-25 under 35 U.S.C. § 102(b) as anticipated by Li (US 2002/0072808 A1; Jun. 13, 2002).
2. Claims 5, 6, and 17 under 35 U.S.C. § 103(a) as unpatentable over Li in view of Kirkwood (US 2003/0182181 A1; Sep. 25, 2003).

ANALYSIS

Appellants argue that Li does not disclose a method including the step "sorting the quality data in the database utilizing said repair estimate factor for producing a report of said quality data." We agree.

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The Examiner relies on paragraph 40 of Li for disclosing this subject matter.

We find that paragraph 40 of Li discloses that the Li method collects service information regarding a vehicle from a user. The service information is analyzed to determine a pre-diagnosis. We find that Li discloses that this pre-diagnosis can be an indication that routine maintenance is required or that a detailed servicing procedure should be followed. There is no disclosure that any data is sorted, much less a disclosure that quality data is sorted as required by independent claims 1 and 13. Therefore, we will not sustain this rejection.

We will also not sustain the Examiner's rejection under 35 U.S.C. § 103 because the Examiner also relies on Li for teaching the sorting step in making this rejection.

DECISION

We reverse the Examiner's § 102 and § 103 rejections.

ORDER
REVERSED

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